

Message Text

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ACTION STR-07

INFO OCT-01 STRE-00 ISO-00 IO-13 AF-10 ARA-10 EA-10
EUR-12 NEA-10 OIC-02 AGRE-00 CEA-01 CIAE-00
COME-00 DODE-00 EB-08 FRB-03 H-01 INR-10 INT-05
L-03 LAB-04 NSAE-00 NSC-05 PA-01 CTME-00 AID-05
SS-15 ITC-01 TRSE-00 ICA-11 SP-02 SOE-02 OMB-01
DOE-15 DOEE-00 SSO-00 /168 W
-----071602 101705Z /41

P 101637Z APR 78
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 8164
INFO AMEMBASSY BRUSSELS
AMEMBASSY TOKYO

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USMTN

USEEC

ACTION STR

E.O. 11652: N/A
TAGS: ETRD, MTN
SUBJECT: SAFEGUARDS - 7 PLUS 7 MEETING

REF: GENEVA 4240

1. APRIL 6 MEETING WAS A LONG AND TEDIOUS REHASH OF
ALL-TOO-FAMILIAR POSITIONS AS DELS CONTINUED DISCUSSION
UNDER BRAZILIAN TOPIC AGENDA ITEMS 4 AND 5 (CONDITIONS
OF APPLICATION, CONSULTATION AND SURVEILLANCE). PERHAPS
MOST NOTABLE ASPECT OF MEETING WAS THAT IT HEARD LITTLE
DISCUSSION OF SELECTIVITY ISSUE.

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2. EC AND U.S. BOTH OBSERVED THAT CONDITIONS OF
APPLICATION IS AN AREA MARKED BY FUNDAMENTAL DC/LDC
CONVERGENCE. DESPITE SCATTERED LDC GRUMBLINGS ABOUT
TOO LITTLE SPECIFICITY IN DC PROPOSALS, THERE WERE NO
SHARP CLASHES COMPARABLE TO PREVIOUS MEETING WHEN
SELECTIVITY WAS THE ISSUE. PERIOD OF VALIDITY OF

SAFEGUARD ACTION DREW MOST COMMENT. NORDICS AND CANADA ARGUED, WITH SUPPORT FROM NEW ZEALAND AND PAKISTAN, THAT A FIXED MAXIMUM PERIOD OF VALIDITY WOULD IN PRACTICE BECOME THE NORM--BETTER TO LEAVE THE PERIOD UNSPECIFIED AND PROVIDE FOR PERIODIC UNILATERAL REVIEW OF MEASURE. ONLY SUPPORT FOR FIXED PERIOD CAME FROM U.S. AND JAPAN WITH U.S. NOTING THAT IT DID NOT WANT TO LEAVE POSSIBILITY FOR 10-, 15-, OR 20-YEAR ARTICLE XIX ACTIONS AS WAS CURRENTLY THE CASE.

3. TALKS TEMPORARILY GOT OFF TRACK AS PAKISTAN SOUGHT CONFIRMATION THAT ALL GATT SAFEGUARD PROVISIONS WOULD BE SUPERSEDED BY NEW CODE AND SPECIFICALLY THAT IT WOULD SUPPLANT MFA. (COMMENT: NO PARTICIPANT IN SAFEGUARD NEGOTIATIONS HAS SUGGESTED THIS SINCE AT LEAST 1975. END COMMENT) HONG KONG WARNED THAT IF SELECTIVE SAFEGUARD ACTIONS ARE PERMITTED, DCS MAY ACT AGAINST TEXTILES UNDER CODE INSTEAD OF MFA IF CODE PROCEDURES APPEAR MORE ADVANTAGEOUS. WE RESPONDED EMPHATICALLY THAT SAFEGUARDS CODE WILL NOT REPLACE OR SUPERSEDE MFA NOR OPERATE AS A PARALLEL INSTRUMENT.

4. ON CONSULTATION AND SURVEILLANCE TOPIC, CANADA MADE LENGTHY PRESENTATION BASED ON TEXT FLOATED IN DCS ONLY DRAFTING GROUP, STRESSING PARTICULARLY IDEA THAT CPS DELEGATE ARTICLE XXII/XXIII FUNCTIONS TO SAFEGUARDS COMMITTEE. THIS TOUCHED OFF HEAVY-HANDED EC LIMITED OFFICIAL USE

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RESPONSE THAT CANADA WAS PRESUMING TOO MUCH DISAGREEMENT AND ATTEMPTING TO BUILD AN UNNECESSARY, OVER-ELABORATE SAFEGUARDS DISPUTE SETTLEMENT MECHANISM THAT ULTIMATELY WOULD UNDERMINE THE TRADITIONAL CHECKS AND BALANCES AVAILABLE UNDER ARTICLE XIX. SWITZERLAND THEN MADE STRONG PITCH FOR DEVELOPING GENERAL APPROACH FOR DISPUTE PROCEDURES VOICING WARINESS OVER PROLIFERATION OF DIFFERENT MECHANISMS. WE SAID DISPUTE SETTLEMENT ELEMENTS OF US-EC DECEMBER TEXT DO REQUIRE ELABORATION AND POINTED TO CANADIAN STATEMENT AS CONTAINING SOME MERITORIOUS IDEAS.

5. NEXT MEETING SCHEDULED FOR APRIL 17 SHOULD CONCLUDE CURRENT EXERCISE WITH FURTHER COMMENT ON DISPUTE SETTLEMENT AND CONSIDERATION OF LAST AGENDA ITEM, SPECIAL/DIFFERENTIAL TREATMENT FOR LDCS.

6. DRAFTED BY ADDUCI. MCDONALD

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Message Attributes

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Draft Date: 10 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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